

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tuomo KIVISTÖ

Art Unit:

Application No: 09/980,436

Examiner:

Filed:

For: ELEMENT FOR SEPARATING AN
ELECTROLYTIC TANK

RENEWED PETITION UNDER 37 CFR 1.10(e)

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Attention: PCT Legal Office

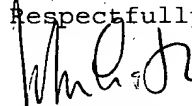
Sir:

Applicant requests reconsideration of the decision denying the request to treat the declaration as having been filed on 04 January 2002. As a preliminary matter, applicant points out that 37 CFR 1.10(e) does not appear to be applicable because the Express Mail evidence shows that the correspondence was indeed received by the Office on 09 January 2002. Nevertheless, a copy of the Express Mail Mailing Label No. EL888470666 is submitted herewith. The mailing label shows a "date in" of 01 04 02, confirming that the date of deposit was 04 January 2002.

The copy of the TRANSMITTAL OF DECLARATION and DECLARATION FOR PATENT APPLICATION that were included in the correspondence filed on 28 February 2002 are true copies of the papers that were filed by Express Mail on 04 January 2002.

In the circumstances, it is requested that the Declaration should be accorded a filing date of 04 January 2002 and that this application should be accorded a filing date under 35 USC 371 of 04 January 2002.

Respectfully submitted,


John Smith-Hill
Reg. No. 27,730

SMITH-HILL & BEDELL, P.C.
12670 NW Barnes Road, Suite 104
Portland, Oregon 97229

Tel. (503) 574-3100
Fax (503) 574-3197
Docket: OUTO 2368

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the 16th day of May, 2002.